

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 12-14 and 18 are pending in this application. Claims 15-17 and 19 are canceled by the present response without prejudice. Claims 12-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent application publication 2002/0162118 A1 to Levy et al. (herein "Levy") in view of U.S. patent 7,120,924 to Katcher. That rejection is traversed by the present response as discussed next.

Each of independent claims 12 and 18 is herein amended to further recite:

when a plurality of metadata appear in a same time stamp, only metadata earliest in a sequence of transmission is maintained, and other of the plurality of metadata are deleted[.]

The above-noted features are noted in the original specification for example at Figure 13, step S1301 and the disclosure at page 29, line 19 *et seq.*, and see also Figure 11 and the specification at page 28, lines 6-10.

According to features recited in independent claims 12 and 18, a time stamp and a position-correspondence table, in which metadata related to the time stamp, are stored. The claims as written address a situation in which a plurality of metadata appear in the same time stamp. The claims as written recite an operation to ensure that in even such a situation a streaming distribution can still be carried out immediately.

According to features clarified in the claims, when a plurality of metadata appear in a same time stamp, only metadata earliest in a sequence of transmission are maintained, and other of the plurality of metadata are deleted. Thereby, even if a plurality of metadata appear at a same time, a metadata transmission unit can merely transmit the metadata from a storage position sequentially, and it does not become necessary for the metadata transmission unit to determine which metadata should be transmitted. Thereby, a streaming distribution can be carried out immediately.

As noted above, such features are reflected in the present specification for example at Figure 13, step S1301. That step S1301 performs execution such that only earliest packets are maintained and other packets are deleted when their offset values overlap, i.e., when they appear in a same time stamp.

The above-noted features clarified in the claims are believed to be neither described nor suggested by Levy in view of Katcher.

The outstanding rejection relies on Levy to disclose the claimed “position-correspondence table storage unit” in Table 4 noted in Levy at paragraph [0100].¹ In reply to that grounds for rejection applicants note Table 4 of Levy is a table in which a contents ID and a time are corresponded to each other. In Levy that Table 4 indicates one time only corresponds to one contents ID.

The noted Table 4 in Levy does not disclose or suggest the claimed features in which a plurality of metadata appear in a same time stamp, as clarified in independent claims 12 and 18.

Moreover, the noted Table 4 in Levy does not disclose or suggest the features now clarified in independent claims 12 and 18 that a plurality of metadata are deleted except for metadata earliest in a sequence of transmission, which are maintained.

Thereby, the noted Table 4 in Levy does not correspond to the “position-correspondence table storage unit” now clarified in independent claims 12 and 18, and the claims dependent therefrom.

Moreover, Katcher was not cited with respect to the claimed “position-correspondence table”, and the teachings in Katcher are not believed to cure the above-discussed deficiencies in Levy.

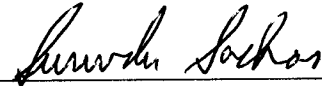
¹ Office Action of March 24, 2008, middle of page 4.

In view of the present response, applicants respectfully submit independent claims 12 and 18 as currently written, and thereby the claims dependent therefrom, positively recite features neither taught nor suggested by Levy in view of Katcher, and thus are believed to be allowable over that cited art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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